

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TONGLI SHIPPING CO., LTD. SAMOA,

Plaintiff,

– against –

SUPTURNO CO., LTD. also known as SUPTURNO
COMPANY,

Defendant.
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ECF CASE

INDEX NO. : 300 705-21300

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 08-08-08
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**ORDER FOR ISSUANCE OF PROCESS OF MARITIME ATTACHMENT AND
GARNISHMENT AND APPOINTING A SPECIAL PROCESS SERVER**

WHEREAS, upon reading the Verified Complaint and Affidavit of William M. Fennell, Esq., sworn to on August 7, 2008, praying for, *inter alia*, issuance of process of maritime attachment and garnishment, it appears that Plaintiff Tongli Shipping Co., Ltd. Samoa (“Tongli Shipping”) has alleged an admiralty or maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure and that Plaintiff has demonstrated that Supturno Co., Ltd., also known as Supturno Company (“Supturno”) is not found within the District and has otherwise complied with the requirements of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure;

NOW THEREFORE, upon the motion of Nicoletti Hornig & Sweeney, attorneys for Plaintiff, it is

ORDERED that Process of Maritime Attachment and Garnishment against Defendant Supturno be issued forthwith by the Clerk of the Court for seizure of all assets of the

Defendant as described in said Process of Maritime Attachment and Garnishment in the possession, custody, or control of, or moving through, the banking institution garnishees or any of their affiliates or any other garnishee within this District named in said Process of Maritime Attachment and Garnishment in the amount of \$704,169.82 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and/or garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing the Court's Order may be issued and served without further Order of the Court; and it is further

ORDERED that pursuant to Rule B(1)(d)(ii)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure that the Process of Maritime Attachment and Garnishment may be served by any person, who is not less than eighteen years of age, and who is not a party to this action; and it is further

ORDERED that following initial service upon any garnishee, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

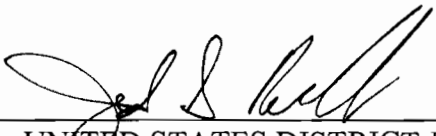
ORDERED that service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made

commencing from the time of such service through the opening of the garnishee's business the next business day; and it is further

ORDERED that pursuant to Federal Rules of Civil Procedure 5(b)(2)(F) each garnishee may consent, in writing, to accept service by any other means, and it is further

ORDERED that a copy of this Order be attached to and served initially with said Process of Maritime Attachment and Garnishment.

Dated: August 8, 2008


UNITED STATES DISTRICT JUDGE